

DEC 02 2002

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article No: 7001 0320 0004 7720 7956

Mr. Mark Peterson  
Guardian Industries Corporation  
300 South 5<sup>th</sup> Avenue East  
De Witt, IA 52742

Dear Mr. Peterson:

RE: Claim for Confidential Business Information (CBI)  
Guardian Industries Corporation  
De Witt, Iowa  
RCRA ID No. IAR000006668

This is regarding a claim of confidential business information (CBI) for information collected during the July 10, 2002, inspection of your facility. Your CBI claim is being denied for the reason explained below.

On September 26, 2002, a notification was sent to you indicating that a final determination would be made concerning your confidentiality claim. At that time, you were requested to provide comments on several items regarding the claim. The notification also stated that you would bear the burden of substantiating the confidentiality claim and that failure to submit comments within the specified time would be regarded as a waiver of your confidentiality claim.

Your response was due in this office within fifteen (15) working days of the date of its receipt. Our records show that you received our notification letter on September 28, 2002, but have failed to respond. As specified in our September 26, 2002, letter to you, we are regarding your failure to respond within the specified time as a waiver of the confidentiality claim. In addition, on November 18, 2002, Kori Kuehl, of our office, spoke with you and confirmed that you no longer desire to claim that information as confidential.

Therefore, the information collected during the July 10, 2002, inspection of your facility is no longer subject to confidential treatment, and the EPA is free to release the information. If you have any questions regarding this matter, please contact Ms. Leslie Humphrey, of my staff, at (913) 551-7227.

Sincerely,

Martha R. Steincamp  
Regional Counsel

cc: Cal Lundberg  
Iowa Department of Natural Resources



R00406425

RCRA RECORDS CENTER

ARTD/RESP:KUEHL:pr:H:/MISC. GUARDIAN CBI DENIED.WPD:11/22/02:rev:11/25/02

RESP  
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RESP  
HUFFMAN

REGIONAL COUNSEL  
STEINCAMP

2/7  
11/25/02

LSlugantz  
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RYA  
11/26/02

Steincamp  
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Mr. Mark Peterson  
 Guardian Industries Corporation  
 300 South 5th Avenue East  
 De Witt, IA 52742

PS Form 3800, January 2001 See Reverse for Instructions

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US Environmental Protection Agency  
 Region VII  
 901 N. 5th Street  
 Kansas City, KS 66101

RESP

Kuehl

REC'D

DEC 06 2002

RESP



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- A record of delivery kept by the Postal Service for two years

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- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".
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PS Form 3800, January 2001 (Reverse)

102595-01-M-1049

**SENDER: COMPLETE THIS SECTION**

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Mark Peterson  
Guardian Industries Corporation  
300 South 5th Avenue East  
De Witt, IA 52742

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

☒ X ☐ Agent  
☐ Addressee

D. Is delivery address different from item 1? ☐ Yes

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2. Article Number (Copy from carrier label)

7001 0320 0004 7720 7956

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952